IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

Bail Appl..No. 7340 of 2006()

CRLMP.5590/2006 of C.J.M., KALEPETTA
Crime No.49/2006 of Excise Range, Kalpetta

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PETITIONER/ACCUSED:

VINOD, AGED 32 YEARS,
S/O. BABURAJ, THAZHATHU VEETTIL, THAZE AREPETTA,
MUPAINAD, VYTHIRI.

BY ADV. SRI.P.K.JOSE

RESPONDENT: COMPLAINANT:

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1. STATE REP. BY EXCISE INSPECTOR,
KALPETTA RANGE IN CRIME 49/06.

2. PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO.7340 of 2006

Dated this the 12th day of December,2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.49 of 2006 of Excise Range, Kalpetta for offences punishable under Sec. 8 (1) and (2) of the Abkari Act, for having been found in possession of 7½ liters of illicit arrack on 15.11.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in two other cases involving similar offences.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

ess 12/12